

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

OMAR RASHAD POUNCY,

Petitioner,

Case No. 13-cv-14695
Hon. Matthew F. Leitman

v.

CARMEN D. PALMER,

Respondent.

**ORDER (1) DENYING PETITIONER'S MOTION FOR IMMEDIATE
RELEASE (ECF # 218); (2) DENYING WITHOUT PREJUDICE
PETITIONER'S MOTION FOR ORDER TO SHOW CAUSE REGARDING
INTERFERENCE WITH ATTORNEY-CLIENT COMMUNICATION (ECF
220); AND (3) GRANTING MOTION FOR ORAL ARGUMENT (ECF #
222)**

Petitioner filed a motion for immediate release, a motion to show cause regarding interference with attorney-client communication, and a motion for oral argument. A status conference was held on March 18, 2019, during which these motions as well as other matters were discussed. For the reasons stated on the record:

IT IS HEREBY ORDERED that Petitioner's motion for immediate release (ECF # 218) is **DENIED**.

IT IS FURTHER ORDERED that Petitioner's motion for order to show cause regarding interference with attorney-client communication (ECF # 220) is **DENIED WITHOUT PREJUDICE**. Counsel for the parties shall work together to ensure that Petitioner is afforded reasonable access to his attorneys of record.

IT IS FURTHER ORDERED that Petitioner's motion for oral argument (ECF # 222) is **GRANTED**. The Court shall set this matter for oral argument for a date to be determined after completion of the final briefing.

IT IS FURTHER ORDERED that the parties shall submit final briefing on the merits of the Petitioner's claims. Petitioner's counsel shall first file a principal brief summarizing Petitioner's position with respect to each of the substantive claims on which he seeks habeas relief. If Petitioner does not address in his brief a claim that he presented in his Petition or at any point previously in these proceedings, the Court will conclude that Petitioner no longer seeks relief on the claim. Respondent shall then file a responsive brief. Petitioner shall then file a reply brief. The parties shall work together to agree upon and propose to the Court a schedule for the filing of these briefs.

IT IS FURTHER ORDERED that attorney Harold Z. Gurewitz shall file a reply brief addressing Petitioner's actual innocence claim. The Court will review the reply brief filed by Mr. Gurewitz, not the 100-plus page reply brief previously filed by Petitioner in support of his actual innocence claim. Mr. Gurewitz's reply

brief shall be due at the same time as the reply brief to be filed by Petitioner in support of his substantive claims for relief.

IT IS SO ORDERED.

/s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: March 19, 2019

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 19, 2019, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

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